



Frequently Asked Questions for SMS Package 1 Enhancements Released December 2012

What is the Federal Motor Carrier Safety Administration's (FMCSA) process for improving the Safety Measurement System (SMS)?

To make our roads safer and sharpen our focus on truck and bus companies that present a high safety risk, FMCSA implemented the first in a series of enhancements to CSA's SMS in December 2012. These changes were first previewed to the public through the Compliance, Safety, Accountability (CSA) Web site and in the Federal Register Notices in March and August 2012. There was a four-month public comment period, an eight month data review period, and educational webinars. More than 19,000 carriers and 2,900 law enforcement personnel participated in the public preview, and many shared their ideas and concerns about the upcoming changes.

FMCSA designed the SMS expecting that changes would be made as new data and additional analysis became available and that stakeholders and partners would provide their feedback. FMCSA continues to collect and analyze input from industry, safety advocates, and other stakeholders to further enhance effectiveness in identifying safety problems, before they result in crashes.

What SMS enhancements were implemented in December 2012?

The following 11 enhancements were implemented in December 2012:

- Strengthening the Vehicle Maintenance Behavior Analysis and Safety Improvement Category (BASIC) by incorporating cargo and load securement violations from today's Cargo-Related BASIC;
- Changing the Cargo-Related BASIC to the Hazardous Materials (HM) Compliance BASIC to better identify HM-related safety and compliance problems;
- Better aligning the SMS with Intermodal Equipment Provider regulations;
- Aligning violations that are included in the SMS with Commercial Vehicle Safety Alliance inspection levels by eliminating vehicle violations derived from driver-only inspections and driver violations from vehicle-only inspections;
- Modifying the SMS display to clarify current terminology and provide more detailed crash information;
- More accurately identifying carriers that transport significant quantities of HM; and
- More accurately identifying carriers involved in transporting passengers;
- Removing 1 to 5 mph speeding violations;
- Lowering the severity weight for generic speeding violations;
- Aligning the severity weight of paper and electronic logbook violations; and
- Changing the name of the Fatigued Driving (HOS) BASIC to the HOS Compliance BASIC.

Additional details about the changes can be found in the [Foundational Document](#).



How have these changes made the Safety Measurement System (SMS) a more effective tool?

The SMS is an effective tool in that it enables FMCSA and its State enforcement partners to better focus on high-risk motor carriers. In fact, motor carriers identified as high-risk by the SMS have future crash rates more than double the crash rate of all active carriers.

Testing of the enhanced SMS that was implemented on December 3, 2012 shows that the collective impact of the improvements further sharpens the SMS. The group of motor carriers with at least one Behavior Analysis and Safety Improvement Category above FMCSA's safety Intervention Threshold:

- Has a 3.9% higher crash rate than those in the previous version of the SMS; and
- Has a 3.6% higher Hazardous Materials violation rate under today's SMS.

Why was the Vehicle Maintenance Behavior Analysis and Safety Improvement Category (BASIC) changed?

Moving cargo/load securement violations into the Vehicle Maintenance BASIC offers three important benefits. By moving load securement violations to the Vehicle Maintenance BASIC and recalibrating the severity weights, FMCSA has mitigated the known flatbed bias created by information system limitations; ensured that the carriers with actual load securement violations are identified; and strengthened the Vehicle Maintenance BASIC by improving the identification of carriers with the highest future crash rates for FMCSA interventions.

Why weren't the cargo/load securement violations moved into the Unsafe Driving Behavior Analysis and Safety Improvement Category (BASIC) since the driver bears primary responsibility for such violations?

The Vehicle Maintenance BASIC is focused on the physical condition of the truck, and cargo is part of that condition. The Unsafe Driving BASIC is focused on how the vehicle is being driven (e.g., improper lane change, speeding). Further, the Vehicle Maintenance BASIC is normalized by number of inspections, whereas the Unsafe Driving BASIC is normalized by on-road exposure measured by Power Units and Vehicle Miles Traveled. FMCSA considers the number of inspections to be a more appropriate normalization factor for cargo/load securement violations; therefore, the cargo/load securement violations were moved into the Vehicle Maintenance BASIC.

What changed in the conversion of the Cargo-Related Behavior Analysis and Safety Improvement Category (BASIC) to the Hazardous Materials (HM) Compliance BASIC?

Concerns were raised that some HM safety issues could be masked due to the inclusion of both HM and load securement violations in the Cargo-Related BASIC. The Federal Motor Carrier Safety Administration implemented the HM Compliance BASIC to specifically address motor carriers that do not comply with Federal safety regulations related to properly packaging and transporting hazardous cargo, or accurately identifying and communicating hazardous cargo in the event of a crash or spill. The HM Compliance BASIC identifies carriers with higher HM violation and HM out-of-service rates than the Cargo-Related BASIC.



How did the Federal Motor Carrier Safety Administration (FMCSA) develop the new Hazardous Materials (HM) Compliance Behavior Analysis and Safety Improvement Category (BASIC) criteria solution?

FMCSA consulted subject matter experts to identify and apply severity weightings to the 239 HM violations that are contained in the Cargo-Related BASIC and 110 additional HM safety-based violations attributable to the motor carrier. The Agency then conducted effectiveness testing to compare the Cargo-Related BASIC with a new BASIC containing only the HM violations to determine which better identified carriers with a high risk of related safety problems. The analysis found that the new BASIC identified carriers with more future violations and with higher violation rates than the Cargo-Related BASIC. Therefore, FMCSA included this change in the enhancement package.

What are the changes to Intermodal Equipment Provider (IEP) violations?

The Safety Measurement System was updated so that the Vehicle Maintenance Behavior Analysis and Safety Improvement Category includes the subset of violations that (1) can be discovered and addressed as part of the driver's pre-trip inspection on the intermodal equipment and (2) that meet the above criteria where the driver could have or should have conducted a pre-trip inspection on the intermodal equipment. The Federal Motor Carrier Safety Administration worked collaboratively with enforcement and industry to identify the violations. Here is a link to the current list of IEP violations that can be attributed to the driver's and carrier's record:

http://www.fmcsa.dot.gov/documents/rulesregs/IEP/Violation-Attribution-List-12162011_508.pdf.

Why did the Federal Motor Carrier Safety Administration make changes to Intermodal Equipment Provider (IEP) violations?

The previous version of the Safety Measurement System (SMS) did not include any roadside violations associated with an IEP trailer distinct from the motor carrier. While violations that should be found during the pre-trip inspection are the motor carrier's responsibility, other violations would not be noticeable to the driver and should be attributed to the IEP. This distinction is now applied in the SMS.

How did the Federal Motor Carrier Safety Administration (FMCSA) develop the solution for aligning the Safety Measurement System (SMS) with Intermodal Equipment Provider (IEP) regulations?

FMCSA uses data from the 3.5 million roadside bus and truck inspections conducted across the country each year to inform decisions about safety. FMCSA evaluated roadside inspection data to confirm that there are data present to discriminate between IEP and carrier/driver responsibility for certain violations related to the condition of the intermodal trailer. FMCSA collects information from inspection reports that indicate, based on an enforcement officer's observation, whether the IEP provided space for a pre-trip inspection and whether the driver performed a pre-trip inspection. FMCSA applied this rule to the past 24 months of roadside inspections, resulting in an increase of approximately 22,000 violations included in the SMS Vehicle Maintenance Behavior Analysis and Safety Improvement Category. A list of IEP violations can be found at https://csa.fmcsa.dot.gov/Documents/IEP_Attributable_Violations.xlsx.



How did the Federal Motor Carrier Safety Administration (FMCSA) approach this situation where vehicle violations are found during a Level III driver-only inspection and how they will be used in the Safety Measurement System (SMS)?

FMCSA uses data from the 3.5 million roadside inspections conducted across the country each year to inform decisions about safety. FMCSA evaluated the extent to which inspectors are citing vehicle violations during driver-only inspections to confirm that this problem merits the attention that stakeholders have demanded. Approximately 139,000 violations or 2.6 percent of all vehicle violations that were used in the previous version of SMS were vehicle violations cited during a driver-only inspection. While very few driver violations are ever documented in vehicle-only inspections, this change was made to ensure that only violations within the scope of a particular type of inspection are included in the SMS. All violations from roadside inspections will continue to be on a carrier's inspection report; however, only violations that fall within the scope of the specific inspections being performed are used in the SMS. This means FMCSA is aligning violations that are in the SMS with Commercial Vehicle Safety Alliance inspection levels by eliminating vehicle violations derived from driver-only inspections and driver violations from vehicle-only inspections. This will ensure the accuracy of our information by allowing our experts to better focus their inspections, either on vehicle-only inspections or driver-only inspections.

What are the revised criteria for which carriers are considered Hazardous Materials (HM) carriers in the Safety Measurement System?

The Federal Motor Carrier Safety Administration's criteria for HM carriers has been modified in order to focus intervention resources on those carriers involved in the majority of placardable HM transport. The new inspection-based criteria include the following:

- At least two HM placardable vehicle inspections within the past 24 months, with one inspection occurring within the past 12 months;
- At least 5 percent of total inspections as HM placardable vehicle inspections.

Why did the Federal Motor Carrier Safety Administration revise the criteria for which carriers are considered Hazardous Materials (HM) carriers?

In August 2011, the criteria for identifying carriers subject to the placardable HM thresholds was changed to include any carrier with HM activity (i.e., a placarded HM inspection, review, or permit) in the past two years. Previous criteria were based only on the "HM commodities hauled" information provided by carriers in the requisite MCS-150 registration form. Feedback on this change was that certain carriers identified under these new criteria rarely hauled or were mistakenly identified as hauling placardable amounts of HM in the inspection forms. Therefore, this criteria was changed in December to more accurately reflect HM carriers subject to the more stringent Intervention Threshold.

How did the Federal Motor Carrier Safety Administration (FMCSA) determine the revised criteria for who is considered a Hazardous Materials (HM) carrier?

FMCSA conducted an analysis to determine how many carriers would be subject to the HM Intervention Threshold if the Agency changed the inspection criteria to require the observation of recent inspections



and a certain percentage of inspections where the carrier was designated as hauling placardable quantities of HM. FMCSA determined that tightening HM placardable inspection criteria would still cover 94 percent of the placardable HM inspections in the last 24 months.

What are the revised criteria for which carriers are considered passenger carriers in the Safety Measurement System (SMS)?

With safety as our number one priority, the Federal Motor Carrier Safety Administration (FMCSA) clarified the definition of passenger carrier within the SMS as follows:

- Add all for-hire carriers with 9-15 passenger capacity vehicles and private carriers with 16-plus passenger capacity vehicles, as these firms are under FMCSA's authority.
- Remove all carriers with only 1-8 capacity vehicles and private carriers with 1-15 passenger capacity vehicles (effectively removing many limousines, vans, taxis, etc.), as these firms are generally outside most of FMCSA's authority.
- Remove carriers where less than 2 percent of their respective fleets are passenger vehicles.

Why did the Federal Motor Carrier Safety Administration (FMCSA) revise its terminology on the Safety Measurement System (SMS) Web site?

In the Behavior Analysis and Safety Improvement Category (BASIC) summary on the SMS Web site, FMCSA used the term "inconclusive" to describe carriers that had enough inspections but too few violations to warrant being considered for interventions and the term "insufficient data" to describe carriers that did not have enough inspections to produce a robust measure to even be assessed. Stakeholders asked FMCSA to offer more specific descriptions than "inconclusive" and "insufficient data." For more information, view [terminology used in SMS](#).

What is the revised terminology used in the Safety Measurement System?

The Federal Motor Carrier Safety Administration (FMCSA) gave motor carriers a preview of the revised terminology as well as the crash breakout for eight months. FMCSA encouraged feedback on the terms before they were released publicly in December. Additionally, the crash category is broken out from the previous "crashes with fatalities and injuries" into two separate categories: "crashes with fatalities" and "crashes with injuries." For more details on the changes, view [terminology used in SMS](#).

How does the Safety Measurement System (SMS) now present injuries and fatalities resulting from a crash?

The Federal Motor Carrier Safety Administration responded to feedback to change how fatalities and injuries caused by crashes were presented in the SMS. Previously, the crash category was listed as "crashes with fatalities and injuries." Now it is broken out into two separate categories: "crashes with fatalities" and "crashes with injuries."

Were there additional changes included in December that were not included in the Safety Measurement System Preview?

Yes, there were four additional changes:

- Removing the 1-5 miles per hour speeding violation from the past 24 months of data;



- Lowering the severity weight for the generic speeding violation (392.2S) to 1 from 5 (retroactive from January 1, 2011);
- Lowering of paper form and manner violations to a severity weight of 1 to be consistent with the same violations for electronic logbook violations; and
- Changing the name of the Fatigued Driving (Hours-of-Service (HOS) Behavior Analysis and Safety Improvement Category (BASIC) to the HOS Compliance BASIC.

Other Related FAQs

How can motor carriers, drivers, and other stakeholders request a review or correction of data in the Safety Measurement System?

The Federal Motor Carrier Safety Administration (FMCSA) has developed a specific mechanism to facilitate data reviews. Requests for data reviews (RDRs) can be made through the DataQs system, an electronic filing system that motor carriers, drivers, and the public use. The first step is to register either at the DataQs Web site (<https://dataqs.fmcsa.dot.gov/>), or via the FMCSA Portal. Instructions for filing an RDR are provided, and include simple forms and the submission of information such as the report number, date, and time of the event, State, explanation, and supporting documentation, if needed. Once filed, the RDR and all relevant documentation are routed to the organization responsible for the data, and electronic correspondence is used to communicate with the requestor. The DataQs Web site is open to the public and offers an online help function to walk users through the process.

Please Note: A carrier can modify registration information (e.g., name, address, or Power Unit data) by updating the [MCS-150](#) form.

If the citation I acquired while in my commercial motor vehicle is dismissed in court, can I get the roadside inspection violation that resulted from the same behavior from the same incident removed from my Safety Measurement System (SMS) record?

The majority of roadside inspections nationwide are done by FMCSA's State Partners, who conduct over 3.5 million roadside inspections on commercial motor vehicles and drivers each year. Presently, the State that submitted the roadside inspection data is tasked with removal of violation data from an inspection record based upon a court adjudication. All documentation concerning the court's adjudication and findings should be submitted as part of an RDR through the FMCSA's DataQs system. This information is then routed to the respective agency for consideration.

The uniformity and consistency of the State's review and action in addressing all RDRs is very important to the Agency. FMCSA guidance therefore recommends that State DataQs analysts exercise reasonable discretion and good judgment by carefully reviewing the reason for the dismissal, based on any and all available information, and determine whether fairness dictates removal of the violation from the State and Federal databases. FMCSA does not recommend or require that States reject RDRs seeking removal of dismissed violations. This guidance may be found in the current DataQs User Guide and Manual (Best Practices for State Agency Users), which is publicly available on our Web site at <https://dataqs.fmcsa.dot.gov>. The FMCSA is currently reviewing the issue of dismissed citations and their inclusion in SMS.

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